
STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



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TO: County Assessors

FROM: Courtney L. Schaafsma, Commissioner

RE: Update to Form Contracts for Assessment Services and Software

DATE: December 1, 2015

The Department of Local Government Finance ("Department") would like to notify county assessors that the Department has updated its form contracts for assessment services and software. These contracts are now posted to the Department's website at <http://www.in.gov/dlgf/6854.htm>.

The updates to the form contracts pertain to four major themes:

- 1) revisions to dates as a result of Senate Enrolled Act 420-2014 (e.g., changing the assessment date from March 1 to January 1);
- 2) minor edits to content and formatting;
- 3) alterations to boilerplate as required by the Office of the Attorney General; and
- 4) the conversion of the form contracts to official state forms as required by the Indiana Archives and Records Administration ("IARA"). To be clear, the form contracts are now state forms with IARA-assigned form numbers.

As before, the form contracts are fillable PDFs. The Department will only accept the fillable PDF state form versions of these contracts; the Department will **NOT** accept altered, reproduced, or retyped contracts. Counties and contractors shall use the form contracts as they are. The Department will not entertain claims by a contractor or county that its retyped contract is an exact duplicate of the state form.

Before the Department can sign a contract, the contract must first be signed by the contractor, assessor, and county commissioners. The Department needs only one original copy of the signed contract from the county. The copy should not be bound or stapled, and it is not necessary to overnight the copy to the Department. Again, the Department must receive a copy with original signatures on it. Once the Department signs the contract, one copy will be sent to the contractor and one copy will be sent to the county. The Department will retain the original contract and a copy as signed by the Department will be posted to the Department's website.

The Department emphasizes that it must review and be a signatory to county contracts for assessment services and software that is certified by the Department.

Also, counties must ensure that they comply with all bidding requirements under state and local law, including IC 5-22. Counties should confer with their attorneys and, as needed, the State Board of Accounts, for guidance. Be aware that the form assessment services and software contracts contain the following provisions, respectively: “The County has advertised for bids as required by IC 6-1.1-4-18.5(b) and has fulfilled all other statutory conditions precedent to the employment of a technical advisor[;]” “The County and the Contractor have complied with IC 5-22 in obtaining bids, proposals, or a special procurement, and the purchase of the Contractor’s software, services, and/or equipment is in compliance with Indiana law[.]” If the Department receives a contract signed by the contractor, assessor, and commissioners, the county and contractor are representing to the Department that all applicable bidding obligations have been fulfilled.

In general, counties should seek guidance from their attorneys throughout the contracting process.

Contracts can potentially be amended, but the Department must review and be a signatory to any amendment. An amendment cannot be used to perpetually extend a contract or add work unrelated to the underlying contract (i.e., amending a new construction contract to include cyclical reassessment work).

Contact Information

Questions may be directed to David Marusarz, Deputy General Counsel, at (317) 233-6770 or dmarusarz@dlgf.in.gov.